

PRELIMINARY DIGEST

May 11, 2022

**SENATE AND HOUSE BILLS ENACTED
BY THE
SEVENTY-THIRD GENERAL ASSEMBLY
OF THE
STATE OF COLORADO**

2022 - Second Regular Session

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Includes 103 digests of the 132 bills
which have been passed by
the General Assembly and acted on by the Governor

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The first date appearing after each digest entry is the date on which the Act was approved by the Governor or, if noted, became law without his signature; the second date is the effective date of the Act. At the time of publication, some measures that do not contain a safety clause will appear with a notation that it is effective on the 91st day after sine die. The official date for these bills will appear in the final digest that is published in June. Vetoed bills are designated and marked "VETOED".

Bills are in categorical order. This digest is intended to direct the user to the text of specific bills and does not purport to be exhaustive of the contents of the bills.

Compiled by the
Office of Legislative Legal Services

ADMINISTRATIVE RULE REVIEW

S.B. 22-91 Statutes relating to review of administrative rules - removal of obsolete or redundant provisions. The act repeals a section of the "State Administrative Procedure Act" to remove obsolete or redundant provisions relating to the process for reviewing executive agency rules. The act also amends provisions in statute concerning executive agency rules to reflect current drafting practices relating to, among other practices, the use of gender-neutral language in statute.

APPROVED by Governor March 17, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

AGRICULTURE

H.B. 22-1022 Colorado state fair and industrial exposition - Colorado state fair authority - industry displays - authority to hire manager. The act allows the Colorado state fair authority (authority) to collaborate with a state agency to develop an industry display at the Colorado state fair and industrial exposition. The act also:

- Clarifies that the authority may receive information related to an industry display from an industry representative;
- Requires the board of commissioners of the authority to establish a process for approving industry displays; and
- Clarifies that the hiring authority of the manager of the Colorado state fair authority is the commissioner of agriculture.

APPROVED by Governor April 12, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

APPROPRIATIONS

H.B. 22-1170 Supplemental appropriations - department of corrections. The 2021 general appropriations act is amended to balance and make adjustments to the total amount appropriated to the department of corrections. The general fund portion of the appropriation is increased and the cash funds portion is decreased.

APPROVED by Governor March 1, 2022

EFFECTIVE March 1, 2022

H.B. 22-1171 Supplemental appropriation - department of education. The 2021 general appropriations act is amended to balance and make adjustments to the total amount appropriated to the department of education. The general fund portion of the appropriation is increased.

Amends Senate Bill 21-268, concerning the financing of public schools, to extend the time in which money remains available for specific purposes.

Amends Senate Bill 21-274, concerning a sustainable model that is not embedded in the child welfare system for serving facility students, to further appropriate unexpended money.

APPROVED by Governor March 1, 2022

EFFECTIVE March 1, 2022

H.B. 22-1172 Supplemental appropriations - offices of the governor, lieutenant governor, and state planning and budgeting. The 2021 general appropriations act is amended to balance and make adjustments to the total amount appropriated to the offices of the governor, lieutenant governor, and state planning and budgeting. The general fund portion of the appropriation is increased.

Amends House Bill 21-1289, concerning broadband deployment, to extend the time in which money remains available for specific purposes.

APPROVED by Governor March 1, 2022

EFFECTIVE March 1, 2022

H.B. 22-1173 Supplemental appropriations - department of health care policy and financing. The 2021 general appropriations act is amended to balance and make adjustments to the total amount appropriated to the department of health care policy and financing. The general fund and reappropriated funds portions of the appropriation are decreased and the cash funds and federal funds portions are increased.

A new appropriation to the department for overexpenditures of line item appropriations in the 2020 long bill is made.

APPROVED by Governor March 7, 2022

EFFECTIVE March 7, 2022

H.B. 22-1174 Supplemental appropriations - the department of higher education. The 2021 general appropriations act is amended to balance and make adjustments to the total amount appropriated to the department of higher education. The general fund and reappropriated funds portions of the appropriation are decreased and the cash funds portion is increased.

An appropriation made in House Bill 21-1330, concerning measures to support student success in obtaining postsecondary credentials, is amended to further appropriate the amount appropriated for the 2022-23 and 2023-24 fiscal years.

APPROVED by Governor March 1, 2022

EFFECTIVE March 1, 2022

H.B. 22-1175 Supplemental appropriations - department of human services. The 2021 general appropriations act is amended to balance and make adjustments to the total amount appropriated to the department of human services. The general fund, cash funds, and federal funds portions of the appropriation are increased.

An appropriation made in Senate bill 21-236, concerning increasing the capacity of quality early childhood education through grant programs, is amended to further appropriate the amount appropriated through June 30, 2023.

APPROVED by Governor March 7, 2022

EFFECTIVE March 7, 2022

H.B. 22-1176 Supplemental appropriations - judicial department. The 2021 general appropriations act is amended to balance and make adjustments to the total amount appropriated to the judicial department. The general fund portion of the appropriation is decreased and the cash funds and reappropriated funds portions are increased.

APPROVED by Governor March 1, 2022

EFFECTIVE March 1, 2022

H.B. 22-1177 Supplemental appropriations - department of natural resources. The 2021 general appropriations act is amended to balance and make adjustments to the total amount appropriated to the department of natural resources. The cash funds portion of the appropriation is increased.

APPROVED by Governor March 1, 2022

EFFECTIVE March 1, 2022

H.B. 22-1178 Supplemental appropriations - department of personnel. The 2021 general appropriations act is amended to balance and make adjustments to the total amount appropriated to the department of personnel. The general fund, cash funds, and reappropriated funds portion of the appropriation are increased.

APPROVED by Governor March 1, 2022

EFFECTIVE March 1, 2022

H.B. 22-1179 Supplemental appropriations - department of public health and environment. The 2021 general appropriations act is amended to balance and make adjustments to the total amount appropriated to the department of public health and environment. The general fund and reappropriated funds portions of the appropriation are increased.

Senate Bill 21-181, concerning state agencies addressing health disparities in Colorado, is amended to further appropriate the amount appropriated the money for the 2022-23 fiscal year.

Senate Bill 21-128, concerning modifications to the administration of the nursing home penalty cash fund, is amended to increase the amount appropriated to the department.

Senate Bill 21-243, concerning annual appropriations to the department of public health and environment, is amended to clarify that the money appropriated is from the general fund.

House Bill 21-1266, concerning efforts to redress the effects of environmental injustice on disproportionately impacted communities, is amended to clarify that the amount appropriated in subject to the (I) notation defined in the general appropriation act.

APPROVED by Governor March 7, 2022

EFFECTIVE March 7, 2022

H.B. 22-1180 Supplemental appropriations - department of public safety. The 2021 general appropriations act is amended to balance and make adjustments to the total amount appropriated to the department of public safety. The general fund and cash funds portions of the appropriation are increased.

Amends Senate Bill 21-292, concerning the allocation of fifteen million dollars from the economic relief and recovery cash fund under the federal "American Rescue Plan Act of 2021" for purpose of funding victim's services programs to assist persons disproportionately impacted by the COVID-19 public health emergency, to further appropriate the unexpended amount through the 2022-23 fiscal year.

APPROVED by Governor March 1, 2022

EFFECTIVE March 1, 2022

H.B. 22-1181 Supplemental appropriations - department of revenue. The 2021 general appropriations act is amended to balance and make adjustments to the total amount appropriated to the department of revenue. The cash funds portion of the appropriation is increased.

The 2020 general appropriation act is amended to make adjustments to the amount appropriation to the state lottery division.

Senate Bill 21-260, concerning the sustainability of the transportation system in Colorado, is amended to further appropriate the unexpended amount through the 2022-23 fiscal year.

House Bill 21-1233, concerning modifications to the requirements for claiming an income tax credit for the donation of a perpetual conservation easement, is amended to further appropriate the unexpended amount through the 2022-23 fiscal year.

Senate Bill 21-076, concerning the funding of a system for electronic transactions made by third-party providers related to the regulation of vehicles, is amended to further appropriate the unexpended amount through the 2022-23 fiscal year.

APPROVED by Governor March 1, 2022

EFFECTIVE March 1, 2022

H.B. 22-1182 Supplemental appropriations - department of state. The 2021 general appropriations act is amended to balance and make adjustments to the total amount appropriated to the department of state. The cash funds portion of the appropriation is increased.

APPROVED by Governor March 7, 2022

EFFECTIVE March 7, 2022

H.B. 22-1183 Supplemental appropriations - department of the treasury. The 2021 general appropriations act is amended to balance and make adjustments to the total amount appropriated to the department of the treasury. The general fund and cash funds portions of the appropriation are increased.

APPROVED by Governor March 1, 2022

EFFECTIVE March 1, 2022

H.B. 22-1184 Supplemental appropriations - capital construction projects. The 2021 general appropriations act is amended to balance and make adjustments to the total amount appropriated for capital construction projects. The capital construction fund and cash funds portions of the appropriation are increased.

The 2020 general appropriations act is amended to balance and make adjustments to the total amount appropriated for capital construction projects. The cash funds portion of the appropriation is decreased.

The 2019 general appropriations act is amended to balance and make adjustments to the total amount appropriated for capital construction projects. The capital construction fund and cash funds portion of the appropriation are decreased.

The 2018 general appropriations act is amended to add a new footnote to allow an appropriation made for the electronic birth registration system to remain available until June 30, 2023.

APPROVED by Governor March 7, 2022

EFFECTIVE March 7, 2022

H.B. 22-1185 Supplemental appropriations - capital construction information technology projects. The 2021 general appropriations act is amended to balance and make adjustments

to the total amount appropriated to the department of revenue. The capital construction fund portion of the appropriation is increased.

APPROVED by Governor March 7, 2022

EFFECTIVE March 7, 2022

CHILDREN AND DOMESTIC MATTERS

H.B. 22-1038 Dependency and neglect proceedings - client-directed legal representation - children or youth. Current law requires the appointment of a guardian ad litem for children or youth in dependency and neglect cases. The act requires that client-directed counsel for youth be appointed for children or youth 12 years of age or older to provide specialized client-directed legal representation.

The act prohibits the waiver of a child's or youth's right to counsel in dependency and neglect proceedings. The act also allows a child or youth to be a party in a dependency and neglect proceeding. For a child or youth 12 years of age or older with diminished capacity, a guardian ad litem shall remain in the role and separate counsel for the child or youth must be appointed.

APPROVED by Governor April 12, 2022

EFFECTIVE January 9, 2023

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 22-1090 Child abuse and neglect - when not abused or neglected. Under current law, a child is neglected or dependent if the child's environment is injurious to the child's health or welfare. The act clarifies that a child is not neglected when allowed to participate in certain independent activities that a reasonable and prudent parent, guardian, or legal custodian would consider safe given the child's maturity, condition, and abilities.

APPROVED by Governor March 30, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 22-1113 Foster youth - child welfare appeals system. A child welfare appeals workgroup was established in the state judicial department that made recommendations for changes in 2021. The act requires the child welfare appeals workgroup to monitor those changes, study changes to the child welfare appeals system, and submit reports in January 2023 and July 2024.

The act requires the district court to make written orders within 35 days after a hearing.

APPROVED by Governor March 30, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 22-1211 Committee on juvenile justice reform - sunset. The act implements the recommendation of the department of regulatory agencies' sunset review and report concerning the committee on juvenile justice reform by repealing the committee. The act

requires the committee to complete all its tasks before the repeal of the committee on December 31, 2022.

APPROVED by Governor April 7, 2022 **PORTIONS EFFECTIVE** August 10, 2022
PORTIONS EFFECTIVE December 1, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

CONSUMER AND COMMERCIAL TRANSACTIONS

S.B. 22-86 Assets exempt from seizure in certain proceedings - homestead exemption - exemptions from levy and sale. Colorado's statutory homestead exemption exempts a portion of a homestead from seizure to satisfy a debt, contract, or civil obligation. **Section 2** increases the amount of the homestead exemption:

- From \$75,000 to \$250,000 if the homestead is occupied as a home by an owner of the home or an owner's family; and
- From \$105,000 to \$350,000 if the homestead is occupied as a home by an owner who is elderly or disabled, an owner's spouse who is elderly or disabled, or an owner's dependent who is elderly or disabled.

Section 3 expands the meaning of "homestead" to expressly include a "dwelling", and **section 4** defines a dwelling as conventional housing and personal property that is actually used as a residence, including any vehicle, trailer, vessel, camper coach, mounted equipment, railway car, shipping or cargo container, shed, yurt, or tiny home.

Under current law, the proceeds from a homestead exemption or, if a homestead property is sold by the owner, the proceeds from the sale are exempt from execution or attachment for a period of 2 years if the person entitled to the exemption keeps the exempted proceeds separate and apart from other money. **Section 5** expands this period to 3 years and extends the exemption to apply to proceeds from insurance covering destruction of homestead property, which proceeds are held for use in restoring or replacing the homestead property.

Section 6 increases the maximum amounts of existing exemptions from levy and sale under a writ of attachment or execution for certain types of property and creates new exemptions for:

- Firearms and hunting and fishing equipment;
- Economic impact payments;
- Health savings accounts; and
- Money placed into a life expectancy set-aside account or similar reserve fund, escrow, or impound account, which money is derived from reverse mortgage proceeds that are designated for specific uses.

Section 6 also recreates and decreases an exemption for money in depository accounts.

Sections 6, 7, and 8 remove a requirement that a person must deposit child support payments in an account designated for the child and, with regard to child support payments and unemployment benefits, not commingle funds in order to claim an exemption for child support payments or an exemption for unemployment benefits.

APPROVED by Governor April 7, 2022

EFFECTIVE April 7, 2022

H.B. 22-1071 Colorado consumer protection act - class actions - recoverable relief. The act states that in a class action under the "Colorado Consumer Protection Act", a successful plaintiff may recover actual damages, injunctive relief allowed by law, and reasonable attorney fees and costs.

APPROVED by Governor March 21, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

CORPORATIONS AND ASSOCIATIONS

H.B. 22-1250 Colorado Corporations and Associations Act - Colorado Business Corporation Act - nonsubstantive statutory changes. The act makes technical changes to the "Colorado Corporations and Associations Act" and the "Colorado Business Corporation Act" as follows:

- Changes references to "owners' interest" to "owner's interest";
- Repeals a provision exempting certain domestic entities from a provision allowing reinstatement of an entity after an administrative dissolution upon compliance with certain conditions; and
- Makes clarifying changes to the provision requiring notification of ratification of defective corporate actions to holders of valid and putative shares.

APPROVED by Governor April 7, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

COURTS

S.B. 22-19 Forcible entry and detainer - access to suppressed court records. The act permits an attorney to access a suppressed court record related to an eviction proceeding, with permission of a party included in the record, for the purpose of:

- Providing legal advice to, or evaluating whether to enter an appearance on behalf of, the party included in the record; or
- Evaluating whether the matter is suitable for mediation or in preparation for a mediation between the parties included in the court record.

APPROVED by Governor March 15, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

S.B. 22-115 Premise liability - foreseeability - terms related to landowner liability. The act clarifies the meaning of terms related to landowner liability and declares that the Colorado court of appeals and supreme court decisions in *Rocky Mountain Planned Parenthood, Inc. v. Wagner* should not be relied upon to the extent that those decisions determined:

- The foreseeability of third-party criminal conduct based upon whether the goods or services offered by a landowner are controversial; and
- That a landowner could be held liable as a substantial factor in causing harm without considering whether a third-party criminal act was the predominant cause of that harm.

APPROVED by Governor April 7, 2022

EFFECTIVE April 7, 2022

H.B. 22-1032 Jury duty postponement - students of higher education. The act allows a Colorado resident who is a student enrolled in an institution of higher education outside the state of Colorado the right to postpone jury duty for not more than 12 months.

APPROVED by Governor April 7, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 22-1237 County courts - classifications - associate county court judges residency. For county court organizational and administrative purposes, the act changes the classifications of Garfield and Montezuma counties from Class C to Class B.

For Garfield county, the act amends the requirement that the associate county court judge in Rifle must maintain an official residence in Rifle and instead requires an official residence anywhere in Garfield county.

For Rio Blanco county, the act amends the requirement that the associate county court

judge in Rangley must maintain an official residence in Rangley and instead requires an official residence anywhere in Rio Blanco county.

APPROVED by Governor April 21, 2022

EFFECTIVE April 21, 2022

CRIMINAL LAW AND PROCEDURE

S.B. 22-24 Intimidating a witness - a person who may have relevant information - a person who can exert pressure on witness - pressure witness to provide false information. The act expands the ways that intimidating a witness may be committed by stating that the threat or act that constitutes intimidation can be directed at a person the perpetrator believes may have information relevant to a criminal investigation or a person the perpetrator believes may be able to exert influence upon a witness or victim.

The act also adds that the crime of intimidating a witness can be committed by intentionally attempting to influence, or actually influencing, a witness, victim, or any other person with knowledge of relevant information to withhold information from, or provide false information to, law enforcement, a defense attorney, or defense investigator.

APPROVED by Governor March 17, 2022

EFFECTIVE July 1, 2022

H.B. 22-1041 Protected persons - withholding personal information from the internet. The act adds child representatives, code enforcement officers, health-care workers, an officer or agent of the state bureau of animal protection, an animal control officer, and office of the respondent parents' counsel staff members and contractors to the list of protected persons whose personal information may be withheld from the internet if the protected person believes dissemination of such information poses an imminent and serious threat to the protected person or the safety of the protected person's immediate family.

The act adds a protected person's full name and home address to the list of personal information that the protected person's written request for removal must include.

The act authorizes access to records maintained by a county recorder, county assessor, or county treasurer for certain individuals if such access is related to a real estate matter.

APPROVED by Governor March 24, 2022

EFFECTIVE March 24, 2022

H.B. 22-1088 Motor vehicle investigators and criminal tax enforcement special agents - P.O.S.T. certification required - special legislation not required. The act specifies that motor vehicle investigators and criminal tax enforcement special agents are peace officers and must be certified by the peace officers standards and training (P.O.S.T.) board.

Under current law, a group seeking peace officer status for a specific position prepares a proposal for the P.O.S.T. board's review, and, after performing an analysis and hearing, the P.O.S.T. board submits a report to the group seeking peace officer status and to the judiciary committees of the house of representatives and the senate. The group seeking peace officer status may request legislation during each of the 2 regular legislative sessions that immediately succeed the date of its proposal without having to comply again with certain procedural requirements.

The act exempts the department of revenue from the requirement to present legislation seeking peace officer status for motor vehicle investigators and criminal tax enforcement

special agents within the 2 regular legislative sessions that immediately succeed the date of its proposal without having to comply again with certain procedural requirements.

APPROVED by Governor March 30, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 22-1169 Sexual assault - victim does not provide consent. Under current law, sexual assault can be committed by means of sexual intrusion or penetration when the actor causes submission of the victim by means sufficient to cause submission against the victim's will. The act changes that element to when the actor causes sexual intrusion or sexual penetration knowing the victim does not consent.

APPROVED by Governor March 24, 2022

EFFECTIVE July 1, 2022

H.B. 22-1224 Public benefits theft. The act creates specific elements for public benefits theft in the theft statute. A person commits public benefits theft when a person intentionally misrepresents or withholds a material fact for determining eligibility, and does so for the purpose of obtaining or retaining public benefits for which the person is not eligible.

A person's conduct that is limited to the elements of public benefits theft is not subject to prosecution pursuant to any other provision of the theft statute.

APPROVED by Governor April 21, 2022

EFFECTIVE July 1, 2022

H.B. 22-1229 Civil infractions - procedures. During the 2021 session, the general assembly created a civil infraction as penalty for violations of the law that do not rise to criminal conduct and included procedures for civil infractions. The act repeals those provisions and replaces them with new procedures for handling civil infractions. The act makes conforming amendments related to civil infractions. The act makes clean-up changes to other provisions to conform to changes made to criminal sentencing provisions during the 2021 session.

APPROVED by Governor April 7, 2022

PORTIONS EFFECTIVE March 1, 2022*
PORTIONS EFFECTIVE September 1, 2022

NOTE: Section 47 of House Bill 22-1229 provides for an effective date of March 1, 2022, for this act; however, the governor did not sign the act until April 7, 2022.

H.B. 22-1257 Criminal law - penalty for practicing profession without authority - purposes of probation - summons for probation violation - responses to probation violations - possession of a weapon by a previous offender - public benefits theft - appropriation. Under current law, it is a class 2 misdemeanor to practice the following professions without an active license, registration, or certification: Professional engineering, architecture, audiology, dentistry, direct-entry midwifery, medicine, physician assistant, anesthesiologist assistant, professional nursing, nursing home administration, optometry, pharmacy, pharmacy

technician, and respiratory therapy. The act makes it a class 6 felony to practice any of these professions intentionally without a license, registration, or certification and fraudulently representing that the person has a license, certification, or registration.

The act states the purposes of probation are to:

- Serve as a sentencing option and a response to crime in order to moderate and deter future criminal behavior and victimization;
- Support persons in behavior change through the coordination and provision of effective and individualized services which may include, but are not limited to, educational, therapeutic, restorative, and skill-building services;
- Hold persons accountable for their behavior through supervision and interventions that promote reparation of harm to the community and victims, which reparation includes, but is not limited to, restitution to victims;
- Serve as a cost-effective option for persons appropriate for community supervision; and
- Honor the statutory and constitutional rights of victims of crime.

The act requires a probation officer to issue a summons when a probationer has allegedly violated a condition of probation or the officer is seeking probation revocation, with some exceptions.

The act requires the state court administrator to develop a system of structured and individualized behavior responses to guide probation officers in determining how best to respond to probation violations.

Under current law, when a parolee has a technical violation of parole, a brief period of confinement in a county jail may be imposed as a sanction. The act allows that confinement to also be served in a department of corrections facility.

The act specifies that for a theft that involves public benefits, the value of the benefits involved for purposes of determining the level of the offense is calculated by the difference between the value of the benefits received and the value of benefits the recipient was eligible for.

Under current law, it is illegal for someone to possess a firearm if the person was convicted of or adjudicated for a victim's right act crime that is a felony. The act adds more felony offenses to the convictions that prohibit a person from possessing a firearm.

Under current law, it is illegal for someone to possess a firearm if the person was previously adjudicated for a victim's right act crime that is a felony offense. The act allows a person in that situation who has good cause for possessing a firearm to petition the court for an order determining that the crime does not apply to the person.

The act appropriates \$53,390 to the judicial department from the general fund and authorizes 0.7 FTE for probation programs.

APPROVED by Governor April 7, 2022

PORTIONS EFFECTIVE April 7, 2022
PORTIONS EFFECTIVE July 1, 2023

EARLY CHILDHOOD - PROGRAMS AND SERVICES

H.B. 22-1197 Department of early childhood - effective date - appropriations. The act changes the effective date for the department of early childhood (department) from July 1, 2022, to March 1, 2022. The act transfers \$3,500,000 from the general fund to the information technology capital account in the capital construction fund, effective April 1, 2022.

For the 2021-22 state fiscal year, the act appropriates \$3,500,000 from the information technology capital account in the capital construction fund to the department for data system capital construction costs and \$326,413 from the general fund to the department for use by the executive director's office.

APPROVED by Governor March 1, 2022

EFFECTIVE March 1, 2022

EDUCATION - PUBLIC SCHOOLS

S.B. 22-54 Community school - turnaround plan. The act authorizes the state review panel to recommend that a district public school be converted to a community school if the district public school fails to make substantial progress under its turnaround plan.

APPROVED by Governor March 24, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

S.B. 22-137 Performance indicators - accountability - school transformation. In reporting levels of attainment on the performance indicators by each public school, school district, the charter school institute (institute), and the state as a whole, the act requires the department of education (department) to include for the 2021-22 school year data concerning the percentage of students who contributed to the state longitudinal academic growth indicator.

Under current law, the department is required to annually determine the levels of attainment on various performance indicators for each public school, school district, the institute, and the state as a whole. Furthermore, under current law, the department is not required to determine the levels of attainment of each public school, school district, the institute, or the state as a whole for the 2019-20 and 2020-21 school years. For the 2021-22 school year, the act requires the department to determine the level of attainment for each public school, school district, the institute, and the state as a whole, based on the statewide targets required for the 2018-19 school year.

Under current law, for purposes of calculating a school district's or the institute's consecutive years on performance watch, the department is required to count the school district's accreditation rating for the 2022-23 school year as if it were consecutive to the 2019-20 school year. The act suspends counting a school district's accreditation rating until the 2023-24 school year.

Under current law, so long as a school district or the institute performs at a level consistent with being accredited with priority improvement plan or lower, a state review panel is required to consider various criteria in evaluating performance and recommending actions. The act adds to these criteria consideration of a school district's or the institute's 2022-23 accreditation category or the public school's 2022-23 plan type.

Under current law, the school transformation grant program generally provides funding to school districts, the institute, and charter schools that are implementing priority improvement or turnaround plans. For grants awarded in the 2022-23 budget year, the act extends grant eligibility to school districts, the institute, and charter schools that are implementing improvement plans.

APPROVED by Governor April 13, 2022

EFFECTIVE April 13, 2022

H.B. 22-1168 Hunter education course - local education provider offering. The act allows local education providers, upon entering into an agreement with an individual or entity that

offers hunter education courses certified by the division of parks and wildlife (division), to provide a hunter education course (course) to all seventh graders. The act does not preclude a local education provider from offering hunter education courses as an elective course in any other grade. The course must satisfy the requirements of a hunter education course certified by the division; except that hands-on activities are not required. The course must be taught by a division-certified instructor. A parent or legal guardian must provide permission for a student to participate in any hands-on activities that are offered as part of the course. A hunter education course shall only allow the possession of inert firearms and dummy rounds on the grounds of any elementary, middle, junior high, or high school. The act defines local education providers to mean school districts, charter schools, and boards of cooperative services that enroll students in seventh grade. The parks and wildlife commission may accept completion of a course toward meeting the requirements of a hunter education certificate.

APPROVED by Governor April 21, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 22-1186 School funding - adjustments for 2021-22 school year - appropriation. The general assembly recognizes that the actual funded pupil count and the at-risk pupil count for the 2021-22 budget year are lower than expected when the appropriation amount for the state share of total program funding was established during the 2021 legislative session, resulting in a decrease in total program funding for the 2021-22 budget year. In addition, local property tax revenue and specific ownership tax revenue are higher than anticipated, resulting in an increase in the local share of total program funding.

The act declares the general assembly's intent to maintain total program funding after application of the budget stabilization factor at the amount of the original appropriation for the 2021-22 budget year.

The act decreases the appropriation for the state share of total program funding by \$139,565,749 in cash funds from the state education fund and adjusts the 2021-22 state fiscal year long bill accordingly.

The act appropriates \$91,433,760 in cash funds from the state education fund to the department of education to distribute to school districts and institute charter schools that received lower than anticipated funding for at-risk pupils for the 2021-22 budget year. The appropriation is additional funding and does not affect a district's or institute charter school's total program.

APPROVED by Governor March 1, 2022

EFFECTIVE March 1, 2022

H.B. 22-1202 School finance - new at-risk student measure - commissioner working group for implementation - appropriation. The act identifies a new at-risk measure to identify students who are at risk of below-average academic outcomes because of socioeconomic disadvantage or poverty in order to allocate resources through the state's public school funding formula to serve those students. The new at-risk measure includes:

- The percentage of students certified as eligible for the school lunch program based on documentation of benefit receipt or categorical eligibility, supplemented by the expansion of direct certification to participants in the medical assistance program and the children's basic health plan; and
- A neighborhood socioeconomic-status index that weights student needs based on socioeconomic-status index neighborhood factors linked to each student's census block group.

The commissioner of education (commissioner) shall convene a working group to prepare for the implementation of the new at-risk measure in the 2023-24 budget year. The act specifies the membership of the working group. The act includes issues that the working group may consider in constructing and implementing the new at-risk measure, including collecting necessary data, constructing a neighborhood socioeconomic-status index linked to students' addresses, and testing the at-risk measure with actual student data, if available.

Not later than January 31, 2023, the commissioner shall report findings and recommendations for the construction and implementation of the new at-risk measure to the education committees of the general assembly and the joint budget committee.

The act requires the department of education to apply to the United States department of agriculture to obtain authorization for direct certification of students participating in the medical assistance program and the children's basic health plan.

For the 2022-23 state fiscal year, to implement the act, the act appropriates \$34,997 to the department of education from the general fund and provides an additional .01 FTE for administration related to public school finance; and appropriates \$128,341 from the general fund to the department and provides 0.4 FTE for federal nutrition programs.

APPROVED by Governor May 3, 2022

EFFECTIVE May 3, 2022

EDUCATION - POSTSECONDARY

S.B. 22-3 Nursing degree programs - community colleges - eligible students. The act permits community colleges to offer a bachelor of science degree in nursing to students who have or are pursuing a practical nursing certificate.

APPROVED by Governor April 4, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

S.B. 22-56 University of norther Colorado - degree programs - osteopathic medicine degree program. The act permits the university of northern Colorado (UNC) to offer specialized degree programs in osteopathic medicine. The act creates an exception to the university of Colorado health sciences center campus' exclusive authority in medicine for UNC's osteopathic medicine degree program.

APPROVED by Governor March 17, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

S.B. 22-121 Tuition revenues - bonds. The act increases, from 10% to 100%, the amount of tuition revenues that a governing board of an institution of higher education or group of institutions of higher education designated as an enterprise may pledge in a contract for the advancement of money. If an institution of higher education issues a revenue bond and the governing board of the institution wants the bond to be an intercept bond, the act raises the amount of the pledged revenue for the new intercept bond from not less than 10% of tuition to not less than 100% of tuition if the institution is an enterprise.

APPROVED by Governor April 7, 2022

EFFECTIVE April 7, 2022

H.B. 22-1049 Transcript withholding - limitations on postsecondary institution. The act authorizes a postsecondary institution to refuse to provide a transcript or diploma to a current or former student on the grounds that the student owes a debt for tuition, room and board fees, or financial aid funds, unless the student owes a debt other than a debt for tuition, room and board fees, or financial aid funds, or if the student can demonstrate that the transcript or diploma is needed for certain purposes.

If a postsecondary institution provides a transcript or diploma to a current or former student, the act prohibits the postsecondary institution from:

- Conditioning the provision of a transcript or diploma on the payment of a debt, other than a fee charged to provide the transcript or diploma;
- Charging a higher fee to obtain a transcript or diploma or providing less favorable treatment in response to a transcript or diploma request because a current or former student owes a debt; or
- Using transcript or diploma issuance as a tool for debt collection.

The act requires each postsecondary institution to adopt a policy that outlines the process by which a student may obtain a transcript or diploma and the circumstances under which a transcript or diploma may be withheld from a current or former student.

Beginning July 1, 2024, the act requires each postsecondary institution to annually report certain information to the department of higher education concerning transcript, diploma, and registration holds.

The act authorizes the student loan ombudsperson (ombudsperson) to provide information to the public regarding the limits on withholding a transcript or diploma and authorizes the ombudsperson and the administrator of the "Uniform Consumer Credit Code" (administrator) to receive complaints from a current or former student who has had a transcript or diploma withheld.

Beginning January 2025, the act requires the attorney general's office to compile data on the complaints received by the ombudsperson and the administrator concerning transcript and diploma holds and report the data through the annual SMART act hearing.

APPROVED by Governor April 21, 2022

EFFECTIVE April 21, 2022

H.B. 22-1255 Students with a disability - improving outcomes. Beginning in 2024, the act requires the department of higher education (department) to submit, as a part of its annual "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act" hearing, data related to postsecondary outcomes for students with a disability. The department shall gather the data in collaboration with institutions of higher education (institutions).

The act creates the postsecondary services advisory committee (committee) in the department for the purpose of making recommendations to institutions and the general assembly concerning necessary services and best practices to improve successful outcomes for students with disabilities at institutions. The committee is required to complete and submit a report to the education committees of the house of representatives and the senate by June 15, 2023, and June 14, 2024. The committee is repealed on June 30, 2024.

APPROVED by Governor April 21, 2022

EFFECTIVE April 21, 2022

H.B. 22-1280 Institution of higher education - name change. The act changes the name of Pikes Peak community college to Pikes Peak state college.

APPROVED by Governor April 22, 2022

EFFECTIVE April 22, 2022

ELECTIONS

H.B. 22-1086 Polling places - restrictions on firearms. The act prohibits a person from openly carrying a firearm within any polling location or central count facility, or within 100 feet of a ballot drop box or any building in which a polling location or central count facility is located, while an election or any related ongoing election administration activity is in progress. The designated election official responsible for any central count facility, polling location, or drop box involved in that election cycle shall visibly place a sign notifying persons of the 100-foot no open carry zone for firearms.

Exceptions are made for persons who own private property within the 100-foot buffer zone to carry a firearm on the private property; peace officers acting within the scope and authority of their duties to carry a firearm; and uniformed security guards employed by a contract security agency acting within the scope of the authority granted by and in the performance of a contractual agreement for the provision of security services with a person or entity that owns or controls the facility, building, or location.

Openly carrying a firearm inside or within 100 feet of a polling location, central count facility, or drop box is a misdemeanor, punishable by a maximum \$1,000 fine, up to 364 days imprisonment in the county jail, or both; except that, for a first offense, the fine shall not exceed \$250 and the sentence of imprisonment shall not exceed 120 days.

APPROVED by Governor March 30, 2022

EFFECTIVE March 30, 2022

GENERAL ASSEMBLY

S.B. 22-62 General assembly - committee on legal services - rules - polling. The act directs the committee on legal services (committee) to adopt its own rules of procedure. The act authorizes the committee to approve questions concerning retention of legal counsel by poll of the committee in lieu of a meeting, unless a committee member objects. If the committee approves retention of counsel by poll, the committee must give public notice of the vote to retain counsel, including the name of the legal counsel to be retained, the legal matter for which the legal counsel will provide representation, and the entity or individual that the legal counsel will represent.

APPROVED by Governor March 7, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 22-1330 Corrections appropriations - suspend 5-year appropriation. Under current law, when the general assembly passes a bill that causes a net increase in the period of imprisonment, the general assembly is required to appropriate money to cover the costs of that imprisonment for the next 5 years. The act suspends that requirement until July 1, 2025, and repeals all of the current statutory 5-year appropriations.

APPROVED by Governor April 15, 2022

EFFECTIVE April 15, 2022

GOVERNMENT - LOCAL

S.B. 22-65 County coroner - salary - full-time or part-time status designation. Beginning January 1, 2023, the act increases the salary of full-time newly elected or reelected category II county coroners to match the salary of category II county treasurers, assessors, clerks, and commissioners. The act allows the board of county commissioners to decline the full-time status of a category II county coroner for cause, but only after the coroner is given notice and an opportunity to be heard by the board of county commissioners in a public hearing.

The act allows category III and category IV county coroners to work full-time if full-time work is agreed upon in consultation with and approved by the county commissioners. For a category III or category IV county that has a full-time county coroner only, the act increases the salary of a newly elected or reelected county coroner to match the salary of the county treasurer, assessor, clerk, and commissioner.

APPROVED by Governor March 24, 2022

EFFECTIVE March 24, 2022

H.B. 22-1187 Office of economic development and international trade - COVID-19 relief programs - extension of deadlines. The act extends deadlines related to COVID-19 relief programs within the Colorado office of economic development and international trade that are dedicated to accelerating the recovery of negatively impacted industries and businesses.

Specifically, the act extends the:

- COVID-19 relief programs for small businesses spending authority for technical assistance from June 30, 2022, to December 31, 2023, and the reporting deadline from November 1, 2022, to November 1, 2023, and adds another report due on November 1, 2024;
- Closing of the applications deadline for the small business accelerated growth program from December 31, 2022, to October 31, 2023; and
- Deadline for eligible events to occur under the Colorado meetings and events incentive program from December 31, 2022, to June 30, 2024, and the reporting requirement due dates through July 1, 2025.

APPROVED by Governor March 7, 2022

EFFECTIVE March 7, 2022

GOVERNMENT - SPECIAL DISTRICTS

H.B. 22-1070 Early childhood development service district - service area - gifts, grants, and donations. Under existing law, an early childhood development service district (service district) must include all of the territory of any special district, municipality, county, or other existing taxing entity that is included in the service district. The act allows a service district to also include a portion of a special district, municipality, county, or other existing taxing entity. The act also authorizes a service district to accept gifts, grants, and donations.

APPROVED by Governor March 17, 2022

EFFECTIVE March 17, 2022

H.B. 22-1087 Special district directors - PERA eligibility not created. The act excludes a special district director (director) who begins service as a director on or after July 1, 2022, from becoming eligible for membership in the public employees' retirement association (PERA) due to the director's service as a director.

APPROVED by Governor March 24, 2022

EFFECTIVE March 24, 2022

GOVERNMENT - STATE

S.B. 22-14 Youth advisory council - procedures - leadership - oversight. The act changes the deadline to appoint nonlegislative members to the Colorado youth advisory council (council) and removes the requirement that nonlegislative members be selected by a majority vote of the council.

The act repeals the requirement to appoint council co-chairs and vice-chairs, requires the council to adopt written bylaws setting forth a leadership structure for the council, and clarifies that the council can elect members to serve in any leadership position described in its bylaws. The act requires that 2 of the council's 4 meetings each year be held in person.

The act changes the council's annual reporting requirement so that the council reports to the Colorado youth advisory council review committee (review committee) during the interim. The act requires the chair of the review committee and the chair of the legislative council to sign council contracts and requires the president of the senate and the speaker of the house of representatives to appoint the chair and vice-chair of the review committee on an annually alternating basis.

APPROVED by Governor March 17, 2022

EFFECTIVE March 17, 2022

S.B. 22-20 Court reporters - oaths or affirmations. The act adds court reporters to the list of professionals who may administer oaths or affirmations.

APPROVED by Governor March 30, 2022

EFFECTIVE March 30, 2022

S.B. 22-95 Missing persons - report to general assembly - missing person reports - law enforcement actions. The act requires the division of criminal justice within the department of public safety (department) to annually report to the general assembly during the department's "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act" hearings any significant data, including trends over time, regarding missing person cases in Colorado. The report must include specific information about missing person cases involving women from minority communities, which includes women from African-American, Black, Asian-American, Pacific Islander, Indigenous and tribal, Hispanic, Latino, and transgender communities, and information about missing person cases involving persons 50 years of age or older.

The act requires any law enforcement agency to accept a missing person report submitted in person if the missing person is a Colorado resident or was last believed to be in Colorado. The act requires law enforcement agencies to accept a missing person report by telephone or other electronic media if accepting the report by those means is consistent with the agency's policies or practices. The act adds circumstances in which a law enforcement agency is not required to accept a missing person report.

The act requires a law enforcement agency that receives a report of a missing adult to, within 8 hours after receiving the report, enter relevant information into the Colorado crime information center (CCIC) database and, as appropriate, contact other law enforcement

agencies that may assist in locating the missing person. In the case of a reported missing child, a law enforcement agency must, within 2 hours after receiving the report, notify the Colorado bureau of investigation and enter any relevant information into the CCIC database.

APPROVED by Governor April 7, 2022

EFFECTIVE April 7, 2022

H.B. 22-1057 Teacher service retiree - working after retirement temporary waiver - critically needed substitute teachers. Current law limits the number of days that a retired teacher who is a public employees' service association (PERA) retiree can work as a substitute teacher for a PERA employer without reduction in PERA retirement benefits. The act temporarily waives these limits for qualified service retirees in any school district or charter school while there are critical substitute teacher shortages. This temporary waiver does not count against the additional 10 service retirees that a state college or university or an employer in the school division or the Denver public schools division of PERA may hire. For purposes of the act, "substitute teacher" is defined to have no restriction in the length of a continuous assignment.

APPROVED by Governor March 17, 2022

EFFECTIVE March 17, 2022

H.B. 22-1102 Protected class status for veteran or members of the military under fair housing practices. The act forbids anyone selling or renting a dwelling from discriminating against an individual based on their veteran or military status. The act forbids anyone from refusing to negotiate for housing with an individual on the basis of their veteran or military status or otherwise denying or withholding housing on the basis of an individual's veteran or military status. For purposes of the act, an individual who was dishonorably discharged from military service does not have veteran or military status.

The act allows inquiries regarding an individual's veteran or military status to the extent necessary to determine if the individual is eligible for a benefit offered to veterans or members of the military. The act also permits the advertisement of veteran or military housing or any other veteran or military housing benefit. The act permits adherence to federal regulations governing veterans affairs benefits.

APPROVED by Governor April 4, 2022

EFFECTIVE April 4, 2022

H.B. 22-1110 Selecting a chief executive officer under executive session - board of education - charter schools. The act authorizes a board of education of a school district and the governing body of a district charter school or of an institute charter school to meet in executive session to discuss negotiations for an employment contract with one or more finalists for the position of chief executive officer, as long as the following conditions have been satisfied:

- The board or governing body has named more than one candidate as a finalist for the position of chief executive officer; and
- The board or governing body holds a public forum to conduct interviews with each of the finalists.

The act defines "chief executive officer" as a superintendent of a school district or a chief executive officer of a charter school.

The act clarifies that the board or governing body may, in addition to interviewing finalists in a public forum, interview finalists in executive session and instruct personnel and representatives to begin contract negotiations with one or more candidates in executive session, including the necessary process to prioritize, for the purposes of negotiation, one or more finalists after public forums have been completed.

APPROVED by Governor April 4, 2022

EFFECTIVE April 4, 2022

H.B. 22-1270 Name-based judicial record check. The act changes the term "name-based criminal history record check" to "name-based judicial record check" throughout the Colorado Revised Statutes.

APPROVED by Governor April 21, 2022

EFFECTIVE April 21, 2022

H.B. 22-1275 Public safety - schools - school safety resource center advisory board. The act continues the school safety resource center advisory board indefinitely.

APPROVED by Governor April 12, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

HEALTH CARE POLICY AND FINANCING

S.B. 22-52 Medicaid - Children's basic health plan - income eligibility requirements. The act aligns the medicaid and children's basic health plan income eligibility requirements for pregnant women and children with federal law.

Current law requires money in the healthcare affordability and sustainability fee cash fund (fund) to be used to expand eligibility for medicaid by increasing the income eligibility level for children and pregnant women under the children's basic health plan to up to 250% of the federal poverty line. The act increases the eligibility level to up to 260%. Under current law, if the money in the fund is insufficient to fully fund all the purposes of the fund, the medical services board (state board) may reduce the percentage of the federal poverty level. The act authorizes the state board to reduce the percentage of the federal poverty level to below 260%, but not below 250%.

The act increases the medicaid income eligibility level for pregnant women from 185% of the federal poverty level to 195% of the federal poverty level, adjusted for family size.

The act increases the income eligibility level under the children's basic health plan for children and pregnant women from 250% of the federal poverty level to 260% of the federal poverty level.

APPROVED by Governor March 24, 2022

EFFECTIVE March 24, 2022

H.B. 22-1188 ARPA account - home- and community-based services - purpose ineligible for federal match. Under current law, money in the ARPA account in the healthcare affordability and sustainability fee cash fund as a result of fund savings and federal matching dollars must be used in accordance with the federal "American Rescue Plan Act of 2021" (ARPA) to implement or supplement the implementation of home- and community-based services. The act authorizes money in the ARPA account to be used for a purpose that is ineligible for a federal match but otherwise authorized pursuant to the ARPA if the general assembly appropriates the money for that purpose.

APPROVED by Governor March 7, 2022

EFFECTIVE March 7, 2022

H.B. 22-1189 Comprehensive care coordination and treatment training model for persons who work with persons with intellectual and developmental disabilities - selection of providers and training completion deadlines. Current law requires the state department of health care policy and financing to obtain a vendor to provide a comprehensive care coordination and treatment training model (model) for persons who work with persons with intellectual and developmental disabilities and co-occurring behavioral health needs by January 1, 2022. The act removes that deadline.

Current law requires case-management agencies, mental health centers, and other program-approved service agencies in the state to nominate providers to participate in the model training designed and provided by the selected vendor no later than March 1, 2022.

The act removes that deadline and requires that providers be nominated to participate in the model training no later than 60 days after a vendor is obtained to provide the model training.

Current law requires providers participating in the model training to complete the training no later than March 30, 2023. The act removes that deadline and requires that the model training be completed no later than one calendar year after a provider is nominated to participate in the model training.

APPROVED by Governor March 7, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 22-1190 Urban Indian organizations - appropriation - state-only payment to address health-care disparities. The act makes an appropriation and requires the department of health care policy and financing to distribute the money appropriated for supplemental, state-only payments to urban Indian organizations to address health-care disparities among the urban Indian community.

For the 2021-22 state fiscal year, the act appropriates \$70,825 from the general fund to the department of health care policy and financing for use for other medical services for state-only payments to urban Indian organizations.

For the 2022-23 state fiscal year, the act appropriates \$48,025 from the general fund to the department of health care policy and financing for use for other medical services for state-only payments to urban Indian organizations.

APPROVED by Governor March 7, 2022

EFFECTIVE March 7, 2022

H.B. 22-1191 Extension of administration - reproductive health-care program. The act extends the date by which the department of health care policy and financing shall administer the reproductive health-care program from January 1, 2022, to July 1, 2022.

APPROVED by Governor March 7, 2022

EFFECTIVE March 7, 2022

H.B. 22-1279 Fundamental right - reproductive health care - right to contraception - right to abortion. The act declares that every individual has a fundamental right to use or refuse contraception; every pregnant individual has a fundamental right to continue the pregnancy and give birth or to have an abortion; and a fertilized egg, embryo, or fetus does not have independent or derivative rights under the laws of the state.

The act prohibits state and local public entities from:

- Denying, restricting, interfering with, or discriminating against an individual's fundamental right to use or refuse contraception or to continue a pregnancy and give birth or to have an abortion in the regulation or provision of benefits, services, information, or facilities; and

- Depriving, through prosecution, punishment, or other means, an individual of the individual's right to act or refrain from acting during the individual's own pregnancy based on the potential, actual, or perceived impact on the pregnancy, the pregnancy's outcomes, or on the pregnant individual's health.

APPROVED by Governor April 4, 2022

EFFECTIVE April 4, 2022

HUMAN SERVICES - BEHAVIORAL HEALTH

S.B. 22-102 Out-of-home placements - children and youth with intellectual and developmental disabilities - interdisciplinary appeals review panel and process. The act requires the state department of human services (department) to promulgate additional rules relating to children and youth with intellectual and developmental disabilities (children and youth) who are in out-of-home placements. The additional rules include access to the interdisciplinary appeals review panel (review panel) for the appeals process for children and youth who have been determined to be ineligible for the program of services (program) for children and youth who have been placed out of the home. The act allows for the addition of additional members to the review panel.

To promote transparency and accountability, the act requires the department to submit a report on details of the program to the health and human services committee of the senate and the public and behavioral health and human services committee of the house of representatives, or any successor committees, and details the information required on the report.

APPROVED by Governor March 17, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

HUMAN SERVICES - SOCIAL SERVICES

S.B. 22-37 Tony Gramscas youth services program - modifications to program requirements and administration. The act makes changes to the Tony Gramscas youth services program (program). The act eliminates state agencies and state-operated programs from the list of entities that can apply for a grant to participate in the program and changes the definition of "entity" to ensure compliance with federal case law.

The act adds prevention services to the services provided for youth and their families through community-based programming, including services for reducing crime and violence, abuse and neglect, drug and alcohol use, and school dropouts.

The act changes certain criteria for adult and youth members to be appointed to the Tony Gramscas youth services board and requires the grant application process for participating in the program to identify and prioritize funding programs that meet a need in the community.

The act requires entities that provide evidence-informed services for the youth mentoring services program to meet certain criteria.

The act specifies for entities providing services for the Colorado student before-and-after-school project that the services may include alcohol, tobacco, and other drug use intervention, prevention, and education components.

The act requires unexpended and unencumbered money remaining in the funds that support the program at the end of a state fiscal year to remain in the funds and available for expenditure by the state department in the following state fiscal year without further appropriations to the funds.

APPROVED by Governor March 17, 2022

EFFECTIVE March 17, 2022

S.B. 22-64 Neighborhood youth organizations - licensing - duties and responsibilities. Under current law, a neighborhood youth organization (NYO) serves youth as young as 6 years of age and as old as 18 years of age. The act lowers the minimum age of a youth member to 5 years of age if the youth is in kindergarten.

The act permits an NYO to create an electronic or written process to record the daily arrival and departure times of youth members in order to track attendance, assess the impact of programs and services on youth members, and ensure an NYO operates in the best interest and safety of youth members.

The act requires each NYO to maintain a complete set of records for youth members and personnel. Each neighborhood youth organization is required to maintain the confidentiality of certain records that are not subject to review by the public. Records concerning the licensing of an NYO's facilities and agencies are open to the public and a person who wishes to review a record must submit a written request to the department of human services.

The act requires that an NYO's programs and services must occur primarily in a facility the NYO leases or owns or has been granted use of or access to.

The act requires an NYO to offer programs and services that are evidence- or research-based, age-appropriate, and foster supportive relationships with peers and adults while offering character and leadership development, academic supports, job skills training, behavioral health supports, health and nutrition services, and other critical resources and services that a community identifies as necessary. An NYO serves all children, youth, and families, but with a focus on programs and services that ensure affordable access for low-income populations.

APPROVED by Governor March 17, 2022

EFFECTIVE March 17, 2022

H.B. 22-1035 Older Coloradans' Act - commission on aging - lifelong Colorado initiative - duties. The act updates the "Older Coloradans' Act" (act). The purpose of the act is to support older Coloradans through community planning, social services, health and well-being services, and strategies to prepare the state's infrastructure for an increasing older population of Coloradans.

The act updates include:

- Reorganizing the commission on aging (commission) and increasing membership from 17 to 19 in order to coordinate and implement the strategic action plan on aging (plan) and to make recommendations;
- Appointing a state department of human services (state department) liaison to act as the primary contact for the commission in order to coordinate commission-related duties with the state department and other state agencies;
- Convening a technical advisory committee (committee) comprised of key state agency representatives to direct the implementation of the plan and the commission's recommendations; and
- Creating the lifelong Colorado initiative within the state department's state office on aging to coordinate strategies and implementation of the plan and the commission's recommendations with the commission, committee, and key state agencies.

APPROVED by Governor March 24, 2022

EFFECTIVE March 24, 2022

H.B. 22-1209 Strategic action planning group on aging - sunset. The act implements the recommendation of the department of regulatory agencies' sunset review and report concerning the strategic action planning group on aging by repealing the planning group.

APPROVED by Governor April 12, 2022

EFFECTIVE April 12, 2022

NOTE: Section 8 of the act provides that specified sections take effect only if House Bill 22-1035 becomes law. House Bill 22-1035 was signed by the Governor March 24, 2022.

H.B. 22-1245 Foster youth - services - transition to adulthood. The act updates and clarifies language related to the foster youth in transition program (program), including:

- Defining "dependent on the court" as being under the juvenile court's jurisdiction;
- Directing the court to advise the juvenile of specific services;
- Repealing certain provisions related to continuing jurisdiction of the court;
- Adding provisions to the program for juveniles or youths who were in a dependency and neglect case or other case pursuant to the Children's Code;
- Updating and specifying the form and content of the petition for the program; and
- Adding language and requirements concerning the initial hearing related to the program.

APPROVED by Governor April 12, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

INSURANCE

H.B. 22-1008 Health benefit plans - fertility services coverage implementation - large employer plans - individual and small group plans - mandatory coverage. With respect to mandatory coverage for fertility diagnosis and treatment and fertility preservation services (fertility services) under health benefit plans, the act requires large employer health benefit plans issued or renewed in this state on or after January 1, 2023, to cover fertility services and requires the division of insurance to implement the coverage requirement.

In addition, for individual and small group policies and contracts, the act requires coverage for fertility services under individual and small group policies and contracts issued or renewed in this state 12 months after the federal department of health and human services determines that coverage for fertility services does not require defrayal by the state, and requires the division to implement the fertility services coverage requirement once effective.

APPROVED by Governor April 13, 2022

EFFECTIVE April 13, 2022

LABOR AND INDUSTRY

H.B. 22-1193 Coal transition workforce assistance program account - transfer from account to just transition cash fund - authorized use of money in account and fund - appropriations.

The act directs the state treasurer to transfer \$2 million from the coal transition workforce assistance program account (account) to the just transition cash fund (fund) on March 7, 2022, and directs the general assembly to appropriate \$150,000 from the fund to the department of higher education for allocation to the Colorado school of mines to expand the Carbon Ore, Rare Earth, and Critical Minerals Initiative for U.S. Basins (CORE-CM initiative) in the Greater Green river and Wind river basins.

Additionally, the act modifies the account as follows:

- Removes the requirement that the department of labor and employment (department) expend specified percentages of money in the account by specified fiscal years; and
- Removes the prioritization of account expenditures first for programs that directly support coal transition workers, thereby allowing the department to also expend money in the account for programs that support coal transition workers' family members and other household members.

The act also:

- Repeals the \$7,000,000 appropriation from the account to the department, made pursuant to House Bill 21-1290, concerning funding to provide just transition for coal transition workers and coal transition communities, for the 2020-21 state fiscal year;
- Appropriates from the account to the department, for the coal transition workforce assistance program, \$500,000 for the 2021-22 state fiscal year and \$2 million for the 2022-23 state fiscal year;
- Appropriates from the fund to the department, for authorized investments in just transition programs for communities, \$1,295,000 for the 2021-22 state fiscal year and \$555,000 for the 2022-23 state fiscal year; and
- Appropriates \$150,000 to the department of higher education for allocation to the Colorado school of mines to expand the CORE-CM initiative.

APPROVED by Governor March 7, 2022

EFFECTIVE March 7, 2022

H.B. 22-1262 Workers' compensation - fines for an employer's failure to carry insurance - continuation under sunset law. The act implements the recommendation of the department of regulatory agencies, as specified in the department's sunset review of the authority of the director of the division of workers' compensation to impose fines on an employer for a subsequent failure to carry workers' compensation insurance within 7 years after an initial failure to carry the required insurance, by continuing the director's authority for 11 years, until September 1, 2033.

APPROVED by Governor April 12, 2022

EFFECTIVE April 12, 2022

MOTOR VEHICLES AND TRAFFIC REGULATION

S.B. 22-17 Regulation of vehicle weight - fluid milk products - nondivisible. Colorado law sets weight limits for vehicles that travel over roads. One of the factors that determines a vehicle's weight limit is whether a load is divisible, which means that the load can be divided up to lower its weight. The act deems that a load of fluid milk products carried by a vehicle is not a divisible load.

APPROVED by Governor March 3, 2022

EFFECTIVE March 3, 2022

S.B. 22-108 Trucks weighing between 4,500 and 10,000 pounds - evidence of current weight additional information to record. Colorado law requires the owner of a truck to present a manufacturer's certificate of origin or a certified scale ticket if the truck is subject to certain weight-based fees and weighs more than 4,500 pounds but not more than 10,000 pounds. This weight includes mounted equipment other than recreational equipment. The act adds an exemption so that a certified scale ticket is required only when the truck's weight has been changed by 300 pounds or more.

The act also requires a certified weigher to record, on the certificate of weight, the vehicle identification number, year of manufacture, and make when weighing a vehicle for registration.

APPROVED by Governor April 4, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 22-1150 Signature by defendant - requirement eliminated. Under current law, a defendant is required to execute the defendant's signature on citations for a misdemeanor, petty offense, misdemeanor traffic offense, or traffic infraction to signify agreement to pay the penalties or appear in court. The act eliminates the defendant signature requirement.

APPROVED by Governor March 30, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 22-1162 Registration - digital license plates - department of revenue review and report - sunset review. The act authorizes digital license plates to be used in lieu of metal license plates if the registration number and expiration date are visible from 100 feet away in sunlight. The plates need not display more than one color. The department of revenue (department) may permit messaging and other digital functionality on digital plates.

The department will consult with the state patrol to adopt rules governing the use, requirements, approval process, proposals, relocation, and reporting of the plates. The department will review the implementation of the plates one year after promulgating the rules and submit a report to the transportation legislation review committee.

The act is scheduled to repeal on September 1, 2027, but before the repeal, it will undergo a sunset review, which may suggest changes or that the act be repeal or continued.

APPROVED by Governor April 22, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

NATURAL RESOURCES

H.B. 22-1072 Habitat partnership program - council and committees membership - scope expanded to include private land conservation and migration corridors - unexpended and unencumbered money reverts to wildlife cash fund - exemption from procurement code. The habitat partnership program (program) assists the division of parks and wildlife (division) with reducing wildlife conflicts and meeting game management objectives. The act:

- Authorizes the director of the division (director) to independently appoint members of the habitat partnership council (council) that, in part, advises local habitat partnership committees (committees) that help implement program objectives;
- Expands the scope of the program to assist the division with private land conservation and wildlife migration corridor efforts;
- With respect to reducing wildlife conflicts, prioritizes conflicts that arise from forage and fence issues related to big game ungulate species, which are big game species that are hooved mammals;
- Authorizes the council to allocate an annual budget to each committee, subject to final approval by the director, and expend funds in areas of the state that are not covered by a committee;
- Requires the director to set terms for committee members; and
- Identifies the council and each committee as an independent organizational unit for purposes of purchasing, accounting, and procurement-related issues.

The act clarifies that any balance of unexpended and unencumbered money in the habitat partnership cash fund (fund) at the end of a fiscal year that exceeds the amount transferred to the fund at the beginning of the fiscal year from the wildlife cash fund reverts to the wildlife cash fund and continues the fund indefinitely.

The act also exempts the program from the "Procurement Code".

APPROVED by Governor April 21, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

PROBATE, TRUSTS, AND FIDUCIARIES

S.B. 22-92 Probate code - intestate succession - terminology. The act describes how property passes when a decedent dies without a will (intestate) and the estate or any part of the estate does not pass to a surviving spouse or designated beneficiary pursuant to existing law. In that situation, the portion of the estate passing through intestate succession is distributed as follows:

- If the decedent is survived by one or more descendants, the portion of the estate passes to the decedent's surviving descendants per capita at each generation;
- If the decedent is not survived by a descendant but is survived by one or more parents, the portion of the estate is divided into as many equal shares as there are surviving parents and deceased parents with one or more descendants. One share passes to each surviving parent, and the balance passes per capita at each generation to the surviving descendants of the decedent's deceased parents.
- If the decedent is not survived by a descendant or parent but is survived by one or more descendants of a parent, the portion of the estate passes per capita at each generation to the surviving descendants of the decedent's deceased parents; or
- If a decedent is not survived by a descendant, parent, or descendant of a parent but is survived by one or more grandparents, the portion of the estate is divided into as many equal shares as there are surviving grandparents and deceased grandparents with one or more surviving descendants. One share passes to each surviving grandparent, and the balance passes per capita at each generation to the surviving descendants of the decedent's deceased grandparents.

The act clarifies how the estate passes to surviving descendants of a deceased parent or grandparent.

The act replaces outdated terminology in the "Colorado Probate Code" with modern language, including replacing gender-specific language.

APPROVED by Governor March 30, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

PROFESSIONS AND OCCUPATIONS

S.B. 22-76 Complaints - words said or acts committed as part of official acts as an elected official or a member of a board or commission - dismissal of complaint. The act directs the agency that regulates an occupation to dismiss an anonymous complaint that is lodged against the holder of an occupational license, certification, or registration if the complaint is based on words said or actions taken while engaged in official duties as:

- An elected official of Colorado or a political subdivision of Colorado; or
- A member of a board or commission of Colorado or a political subdivision of Colorado.

If the same type of complaint is submitted, but not anonymously, the agency is authorized to dismiss the complaint. The subject of the complaint need not respond or provide evidence for the complaint to be dismissed.

An exception is made for words said to or actions committed for a specific person when the license, certificate, or registration holder is speaking or acting as a member of the regulated occupation.

APPROVED by Governor April 4, 2022

EFFECTIVE April 4, 2022

S.B. 22-143 Common provisions applicable to regulated professions and occupations - use of common terminology. The act strikes references in a common health-care provision in title 12 of the Colorado Revised Statutes to "applicable licensing board" and "board" and replaces those references with the term "regulator", which is defined, for purposes of the regulation of professions and occupations under title 12, as the entity with regulatory authority concerning a particular profession or occupation.

APPROVED by Governor April 15, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 22-1073 Funeral establishments - crematories - inspections. The act authorizes the director of the division of professions and occupations to enter the premises of registered funeral establishments and crematories during business hours to conduct inspections. The director may contract with a third party to perform the inspection.

APPROVED by Governor March 21, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 22-1076 Hearing aid providers - hearing instruments and assistive devices - telehealth. The act specifies that a hearing aid provider may prescribe, select, and fit hearing instruments

and assistive devices in person or through the use of telehealth.

APPROVED by Governor April 4, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

PROPERTY

S.B. 22-59 Common interest communities - unit owners' association meetings - proxy voting. Under current law, a unit owner living in a common interest community (community) may grant another unit owner in the community a proxy to vote on behalf of the first unit owner at a unit owners' association (association) meeting. Also under current law, the proxy terminates after 11 months unless the proxy itself provides for an earlier or later termination date. The act limits the maximum duration of a proxy to 11 months.

APPROVED by Governor March 21, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 22-1040 Common interest communities - owner's associations - access to common elements of the community. Current law states that, with certain exceptions, a unit owners' association (association) of a common interest community (community) may regulate the use of common elements of the community (common elements). The act states that, in regulating the use of common elements, an association shall preserve and protect unit owners' ability to use and enjoy common elements and shall not unreasonably restrict or prohibit unit owners' access to, or enjoyment of, any common element. During maintenance, repair, replacement, or modification of a common element, an association may restrict or prohibit unit owners' access to, and enjoyment of, a common element only to the extent and for the length of time necessary to:

- Protect the safety of any individuals, including unit owners and individuals performing the maintenance, repair, replacement, or modification of the common element; or
- Preserve the structural integrity or condition of a repair, replacement, or modification.

If an association must restrict or prohibit unit owners' access to one or more common elements for more than 72 hours, the association shall provide an electronic or written notice to each unit owner and post a visible, clearly legible notice at each physical access point to the common element, which notice includes:

- A simple explanation of the reason for the restriction or prohibition;
- An indication of the estimated time or date upon which the restriction or prohibition will no longer exist; and
- A telephone number or e-mail address whereby a unit owner may pose questions or concerns about the restriction or prohibition for the consideration of the association.

APPROVED by Governor April 12, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

PUBLIC UTILITIES

H.B. 22-1104 Outdoor recreation - powerline trails. The act:

- Allows transmission providers to enter into contracts with public entities or private landowners to construct and maintain public recreational trails (powerline trails) covering a tract of land where transmission lines are or will be constructed (transmission corridor);
- Requires a public entity to coordinate with the division of parks and wildlife in the design and construction of a powerline trail to minimize adverse impacts to state and federally listed species and species and habitats of conservation concern;
- Requires a public entity to consider any issues unique to an area of significant rural character prior to constructing a powerline trail in the area;
- Requires transmission providers to develop and maintain informational resources to encourage the construction of new powerline trails;
- Requires a transmission provider, when siting or expanding a transmission line, to notify local governments of the potential for a powerline trail in the associated transmission corridor;
- Requires a transmission provider, when applying for a permit with a local government to develop in an area of state interest, to demonstrate compliance with the requirement to notify local governments of the potential for a powerline trail and to develop and maintain informational resources encouraging construction of new powerline trails;
- Requires the public utilities commission to amend its rules to also require electric public utilities in the state to consider plans for the construction of new powerline trails and with the requirement to develop and maintain informational resources on powerline trails;
- Requires the Colorado electric transmission authority (CETA) to arrange for the continuation of any existing powerline trail contracts before entering into a project or divesting a facility; and
- Requires the CETA to give priority for project solicitations to electric utilities and other entities that demonstrate an interest in continuing or creating a powerline trail.

APPROVED by Governor April 13, 2022

EFFECTIVE April 13, 2022

REVENUE - ACTIVITIES REGULATION

H.B. 22-1037 Marijuana - medical and retail marijuana business - authorization to operate in same location. The act allows a person to operate a licensed medical marijuana business and a licensed retail marijuana business at the same location if permitted by the local licensing authority and the local jurisdiction where the businesses are located and subject to requirements regarding separation of operations.

APPROVED by Governor April 7, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 22-1135 Marijuana transporter license - transfer license with change of ownership. Under current law, a marijuana transporter license cannot be transferred with a change of ownership. The act removes this prohibition.

APPROVED by Governor March 24, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 22-1222 Marijuana responsible vendor designation - employee designation portability - mitigation protection. Under current law, a licensed medical or retail marijuana business may receive a responsible vendor designation (designation) if all of its employees successfully complete an approved course. If the business is subject to a licensing action, the designation can be considered a mitigating factor in the licensing action. The act allows an individual to receive a designation and provides the same licensing mitigation protection to that individual in a licensing action. The act clarifies how a business receives and maintains a designation and allows a person with a designation to take that designation with them to a new employer.

APPROVED by Governor April 21, 2022

EFFECTIVE January 1, 2023

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

STATUTES

S.B. 22-22 Enactment of Colorado Revised Statutes 2021. The act enacts the softbound volumes of the Colorado Revised Statutes 2021 as the positive and statutory law of the state of Colorado and establishes the effective date of said publication.

APPROVED by Governor March 3, 2022

EFFECTIVE March 3, 2022

TAXATION

S.B. 22-26 Oil and gas operator - property tax assessment notification - appeal procedures. Current law requires a county property tax assessor to send a notice of valuation of personal property to the operator of each wellsite, or if there is no operator, to the owner who has filed a statutorily required statement with the assessor.

The act:

- States that oil and gas fractional interest owners are not entitled to separate valuation, notification, review, audit, protest, abatement, or appeal procedures by the assessor; and
- Designates the operator of each wellsite, or if there is no operator, the owner who filed the statement, as the representative of all fractional interest owners and as the exclusive point of contact for the assessor for all notification, review, audit, protest, abatement, and appeal procedures.

APPROVED by Governor March 30, 2022

EFFECTIVE March 30, 2022

S.B. 22-32 Local sales and use taxes - streamlining of imposition, collection, and administration - appropriation. In order to enable the streamlining of the imposition, collection, and administration of sales and use taxes imposed by local taxing jurisdictions on retail sales made by retailers that have a state standard retail license and either do not have physical presence within a local taxing jurisdiction or have only incidental physical presence within a local taxing jurisdiction through the streamlining of application requirements for and elimination of fees for local general business licenses, the act requires the department of revenue (department) to require sufficient information to be collected from such a retailer, when the retailer applies for or renews a state standard retail business license through the state's electronic sales and use tax simplification system (SUTS) or by other means or at any other time to the extent necessary, and made available to local taxing jurisdictions to ensure that concerns of local taxing jurisdictions, including but not limited to concerns relating to administrative efficiency, retailer compliance, and collection of sales and use tax revenue, are addressed. The department is required to consult with local taxing jurisdictions when determining what information to collect and how to make the information collected available to local taxing jurisdictions. The department is also required to consult with retailers and to address any reasonable concerns that they may have. The department is required to accomplish these tasks expeditiously so that no later than July 1, 2023, and sooner if feasible, a retailer that has a state standard retail license and either does not have physical presence within a local taxing jurisdiction or has only incidental physical presence can make retail sales within the local taxing jurisdiction without having to obtain a general business license from the local taxing jurisdiction.

On and after July 1, 2022, a local taxing jurisdiction is prohibited from charging a fee for a local general business license to a retailer that has a state standard retail license, makes retail sales within the local taxing jurisdiction, and either does not have physical presence within the local taxing jurisdiction or has only incidental physical presence within the local taxing jurisdiction. On and after July 1, 2023, a local taxing jurisdiction is prohibited from requiring such a retailer to apply separately to the local taxing jurisdiction for a general business license. A local taxing jurisdiction must automatically issue a general business license to such a retailer unless the local taxing jurisdiction has previously revoked a general

business license held by the retailer for a violation of its local code.

For the 2022-23 state fiscal year, \$2,100 is appropriated to the department for use by the taxation services division to implement the act.

APPROVED by Governor April 21, 2022

EFFECTIVE April 21, 2022

H.B. 22-1027 Sales and use tax - destination sourcing - small retailers exception - extension. State sales tax is currently calculated based on the buyer's address when the taxable product or service is delivered to a consumer, and this is known as destination sourcing. There is an exception that allows small retailers with less than \$100,000 of retail sales to source their sales to the business' location regardless of where a purchaser receives the tangible personal property or service. The act extends the repeal of this exception from February 1, 2022, until October 1, 2022.

APPROVED by Governor January 31, 2022

EFFECTIVE January 31, 2022

H.B. 22-1039 Sales and use tax - simplification of exemption forms. For some, but not all, exemptions from state and state-collected local sales and use taxes, a person who wishes to establish the right to obtain an exemption is either explicitly required by state law or required by the department of revenue (department) as it administers and enforces state law to complete a form created by the department, which, depending on which exemption is sought, may be described as an affidavit, application, certificate, certification, declaration, or statement. The act requires the department to examine its forms and requirements relating to their use and, to the extent feasible without impairing the proper administration of the exemptions, simplify the forms and related requirements for persons making tax-exempt purchases. Exceptions to existing statutory requirements relating to the forms are made for any simplifications made by the department.

APPROVED by Governor March 30, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

TRANSPORTATION

S.B. 22-141 Title 43 - technical corrections. The act makes the following nonsubstantive changes to title 43:

- Corrects the citation made in section 43-1-128 (5) from "the national environmental policy act" to "the federal 'National Environmental Policy Act of 1969', 42 U.S.C. sec. 4321 et seq.";
- Adds the word "vehicle" in section 43-4-605 (1)(i) between the words "motor" and "registration"; and
- Corrects a reference in section 43-4-1301 (2)(c) stating "subsections (7) and (8) of this section" to say "section 43-4-1303".

APPROVED by Governor April 7, 2022

EFFECTIVE April 7, 2022

H.B. 22-1074 Traffic violations - Interstate 70 peak period shoulder lanes. With the exception of an authorized emergency vehicle or an authorized service vehicle, or in the case of an emergency, the act prohibits drivers of motor vehicles from driving on the Interstate 70 peak period shoulder lanes (PPSL) while the lanes are closed and prohibits drivers of motor vehicles with more than 2 axles or that are 25 feet long or longer from driving on the PPSL at any time. The high-performance transportation enterprise is authorized to assess civil penalties and enforce violations.

APPROVED by Governor March 15, 2022

EFFECTIVE August 1, 2022

WATER AND IRRIGATION

S.B. 22-30 Water resources review committee - expansion of scope of the committee - agriculture issues included. The act changes the name of the water resources review committee to the water resources and agriculture review committee (committee) and expands the scope of the committee to include agriculture issues.

APPROVED by Governor March 30, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.

H.B. 22-1092 Irrigation districts - issuance of loans by irrigation districts to landowners for certain purposes. **Sections 1 and 4** of the act allow a board of directors of an irrigation district (board) to borrow money, which the irrigation district may use to make loans to landowners to be used to make improvements to private water delivery systems or for other types of projects that improve:

- Water conservation or efficiencies on landowner property; or
- Landowner delivery or drainage systems.

An obligation or contract to borrow such money is exempt from the existing requirement that a contract purporting to bind the district to pay a certain sum must be ratified by a certain number of district voters. Additionally, the district cannot assess landowners to raise money to fund the loans.

In case of default in the payment of any loan installment, the county treasurer may assess upon the eligible real property a tax lien for the payment of the whole of the unpaid installment but is prohibited from assessing a tax lien for the entire value of the landowner's portion of the irrigation loan issued by the water district.

Sections 2 and 5 require each irrigation district to include in its annual appropriation resolution:

- The amount needed to meet loan obligations;
- All amounts payable by landowners to the irrigation district in accordance with loans issued to the landowners; and
- The amount payable by each tract within the irrigation district for which a landowner has received a loan.

Sections 3 and 6 state that the county treasurer will receive \$5 per tract assessed for loans issued to landowners by an irrigation district, and this \$5 will be assessed against each participating tract.

APPROVED by Governor April 12, 2022

EFFECTIVE August 10, 2022

NOTE: This act was passed without a safety clause and takes effect 90 days after sine die.